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12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 VENETIAN CASINO RESORT, LLC, a
Nevada limited liability company,

15 Plaintiff,

16 v.

17 ENWAVE LAS VEGAS LLC, a Delaware
18 limited liability company,

19 Defendant.

22 ENWAVE LAS VEGAS LLC, a Delaware
23 limited liability company,

24 Counterclaimant,

25 v.

26 VENETIAN CASINO RESORT, LLC, a
27 Nevada limited liability company, and
INTERFACE GROUP-NEVADA, INC., a
Nevada corporation,

28 Counterdefendants.

Case No. 2:19-cv-01197-JCM-DJA

**STIPULATION AND [PROPOSED]
ORDER FOR AN EXTENSION OF
TIME FOR VCR AND INTERFACE TO
RESPOND TO GCS'S AMENDED
COUNTERCLAIM**

[FOURTH REQUEST]

1 GRAND CANAL SHOPS II, LLC, a
2 Delaware limited liability company,

3 Counterclaimant,

4 v.

5 VENETIAN CASINO RESORT, LLC, a
6 Nevada limited liability company

7 Counterdefendant.¹

8 Plaintiff/Counterdefendant VENETIAN CASINO RESORT, LLC, (“VCR”) and
9 Counterdefendant INTERFACE GROUP-NEVADA, INC. (“Interface,” collectively with VCR,
10 “Venetian Parties”), by and through their counsel of record the law firms of Dickinson Wright
11 PLLC and Mintz & Gold, LLP, Defendant/Counterclaimant ENWAVE LAS VEGAS LLC
12 (“Enwave”), by and through its counsel of record the law firms of Brownstein Hyatt Farber
13 Schreck, LLP and Baker Donelson Bearman Caldwell & Berkowitz, PC, and Intervenor GRAND
14 CANAL SHOPS II, LLC (“GCS”), by and through its counsel of record the law firms of King &
15 Spalding LLP and Santoro Whitmire, hereby stipulate and agree, subject to this Court’s approval,
16 pursuant to Local Rule 7-1 and Local Rule IA 6-1 to extend the deadline for the Venetian Parties
17 to file a response to GCS’s Amended Counterclaim (current deadline is May 18, 2021), as
18 follows:

- 19 1. On January 11, 2021, GCS filed its Counterclaim against Enwave (ECF No. 68);
20 2. On January 26, 2021, the Court approved the Parties’ Stipulated Discovery Plan
21 and Scheduling Order, providing for Enwave to respond and produce documents in response to
22 the Venetian Parties’ discovery requests by February 19, 2021 (ECF No. 72);
23 3. On February 1, 2021, the Parties filed a Stipulation and Proposed order for
24 Extension of time for Enwave to respond to GCS’s Counterclaim (ECF No. 74) (“First
25 Stipulation”);
26 4. On February 1, 2021, the Venetian Parties filed a Motion to Strike GCS’s
27

28 ¹ The Venetian Parties object to the caption as incorrectly listing VCR as the Counter Defendant.

1 Counterclaim and to Revoke GCS's Intervenor Status (ECF No. 75);

2 5. The Court approved the First Stipulation, providing Enwave until February 11,
3 2021, to respond to GCS's Counterclaim (ECF No. 76);

4 6. On February 10, 2021, GCS filed its Amended Counterclaim (ECF No. 77);

5 7. On February 16, 2021, GCS filed its Response to the Venetian Parties' Motion to
6 Strike (ECF No. 78);

7 8. Enwave then requested additional time to respond and produce documents in
8 response to the Venetian Parties' Rule 34 discovery requests and the Venetian Parties, as a
9 professional courtesy, agreed to the same, contingent upon GCS agreeing to an extension of the
10 deadline for the Venetian Parties to file the Reply in support of the Motion to Strike and the
11 deadline to file any new motion to strike with respect to GCS's Amended Counterclaim, to
12 which GCS agreed;

13 9. On February 23, 2021, the parties filed a stipulation and proposed order to extend
14 (a) the deadline for Enwave to respond and produce documents in response to the Venetian
15 Parties' Rule 34 discovery requests, and to respond to GCS's Amended Counterclaim, to March
16 22, 2021; (b) the deadline for the Venetian Parties to file a response to GCS's Amended
17 Counterclaim to April 13, 2021; and (c) the deadline for the Venetian Parties to file a Reply in
18 support of the Motion to Strike GCS's Counterclaim to April 13, 2021. (ECF No. 79);

19 10. On February 25, 2021, the Honorable Magistrate Judge Brenda Weksler approved
20 the parties' February 23, 2021 stipulation (the "Stipulated Order"). (ECF No. 80.) To give the
21 Venetian Parties the opportunity to review Enwave's document production prior to further
22 briefing, the Stipulated Order provided for (a) Enwave to respond and produce documents in
23 response to the Venetian Parties' Rule 34 discovery requests, and to respond to GCS's Amended
24 Counterclaim, by March 22, 2021; (b) for the Venetian Parties to file any motion to strike GCS's
25 Amended Counterclaim by April 13, 2021; and (c) for the Venetian Parties to file a Reply Brief
26 in support of its Motion to Strike by April 13, 2021;

27 11. On March 22, 2021, Enwave filed its Answer to GCS's Amended Counterclaim
28

1 (ECF No. 83);

2 12. On March 22, 2021, Enwave also served responses and made a document
3 production in response to the Venetian Parties' discovery requests;

4 13. On March 23, 2021, a dispute arose regarding the sufficiency of the production,
5 which the parties believe can be resolved with additional time for Enwave to serve a supplemental
6 production rather than involving the Court at this juncture;

7 14. On April 13, 2021, the parties agreed to an extension of the deadline for Enwave
8 to supplement its response to the Venetian Parties' Rule 34 discovery requests to April 27, 2021.
9 The parties also agreed to extend the Venetian Parties' deadline to file any motion to strike
10 GCS's Amended Counterclaim (ECF No. 77) and extending the Venetian Parties' deadline to file
11 a Reply Brief in support of its Motion to Strike to May 18, 2021 (ECF No. 84);

12 15. On May 10, 2021, the Honorable Magistrate Judge Brenda Weksler approved the
13 parties' stipulation extending the time for: (a) Enwave to supplement its discovery responses by
14 April 27, 2021 (ECF No. 92), (b) the Venetian Parties to file its reply brief in support of its
15 Motion to Strike GCS's Counterclaim and Motion to Revoke GCS's status as Intervenor by May
16 18, 2021 (ECF No. 93), and (c) the Venetian Parties to file any motion to strike GCS's Amended
17 Counterclaim by May 18, 2021 (ECF No. 90);

18 16. On May 12, 2021, the Venetian Parties requested from GCS an additional
19 extension of time in which to: (a) file their reply brief in support of its Motion to Strike GCS's
20 Counterclaim and Motion to Revoke GCS's status as Intervenor, and (b) file any motion to strike
21 GCS's Amended Counterclaim;

22 17. As a professional courtesy, GCS agreed that the Venetian Parties could have an
23 additional seven (7) days in which to: (a) file their reply brief in support of its Motion to Strike
24 GCS's Counterclaim and Motion to Revoke GCS's status as Intervenor, and (b) file any motion
25 to strike GCS's Amended Counterclaim. That extension would bring the deadline for both filings
26 to May 25, 2021;

27 18. Accordingly, the Venetian Parties and GCS hereby stipulate, subject to the
28

1 Court's approval, that the Venetian Parties shall file any motion to strike GCS's Amended
2 Counterclaim by June 14, 2021. This is the fourth request to extend the foregoing deadlines, and
3 all parties submit that good cause exists for these extensions and that they are not intended for
4 purposes of delay.

5
6
7 DATED this 25th day of May, 2021.

8 DICKINSON WRIGHT PLLC

9 /s/: Michael N. Feder

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DATED this 25th day of May, 2021.

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17 DATED this 25th day of May, 2021.

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Order

IT IS SO ORDERED

DATED: 6:36 pm, May 27, 2021



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE